Law Office of
Donald D. duBoulay, Esq.
401 Broadway, Suite 2507
New York, New York 10013

FAXED 8/16/10

(212) 966-3970 ***Fax (212) 941-7108***

August 11, 2010

The Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Luis Hernandez
Magistrate Docket No. 10-0439

Dear Judge Reyes:

If the Complaint has been dismissed, the motion is denied as moot, as there is no longer any obligation to obey the conditions of release. If the parties believe the matter is not moot, I direct the government to respond in writing.
RER
USMJ
8/16/10

I represent Luis Hernandez in the aforementioned matter. On April 23, 2010, this Court set bail conditions for Mr. Hernandez as follows; a $150,000.00 PRB signed by two FRP's, travel restricted to New York and New Jersey, and the surrender of his passport.

On July 15, 2010, the United States Attorney's office informed the defense that they are considering Mr. Hernandez for its deferred prosecution program. The Complaint in this case has been dismissed without prejudice. In the interim however, Mr. Hernandez remains under the supervision of Pre-trial services.

I write to request that the Court allow the Pre-trial officer in his discretion to permit Mr. Hernandez to travel for personal or job related purposes. In this instance Mr. Hernandez requests permission to travel to Dorney Park, an amusement park in Pennsylvania for a Saturday visit. He would leave in the morning and return later that evening on either Saturday August 14, 2010 or August 21, 2010.

Pre-trial Officer Kenneth Rowan has no objection to this request. As of this writing I have been unable to reach AUSA Mele.

Very truly yours,

Donald D. duBoulay

Cc: Toni Mele (via Facsimile)